



Attorney Docket 054160-5060-05

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Tsuneji SUZUKI *et al.*) Group Art Unit: 1615
)
Application No. 10/049,666) Examiner: Amy E. Pulliam
)
Filed: February 15, 2002)
)
For: Pharmaceutical Agent Comprising)
a Benzamide Derivative as Active)
Ingredient)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. § 1.56 and § 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 form. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of any of a Final Office Action, a Notice of Allowance, or any action that otherwise closes prosecution in the application for the above-referenced application.

To the best of the undersigned's knowledge, each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of the Search report issued by the Hungarian Patent Office on November 17, 2003 is enclosed for the Examiner's consideration.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the above-listed documents are material or constitute prior art. If

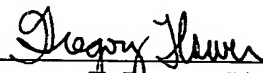
the Examiner applies the documents as prior art against any claim in the application and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the application and the references therein, should one or more of the documents be applied against the claims of the present application.

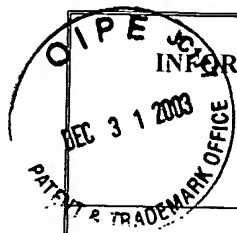
Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **December 31, 2003**
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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket 054160-5060

Application No. 10/049,666

Applicants: Tsuneji SUZUKI *et al.*

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Filing Date: February 15, 2002

Group Art Unit: 1615

U.S. PATENT DOCUMENTS

Initial	Document No.	Date	Name	Class	Sub-Class	Filing Date

FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Class	Sub-Class	Translation
aa	HU P0001043	02/14/1998	Hungary			Abstract only
ab	WO 98/35683	02/14/1998	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.